

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, EASTERN DIVISION

|                            |   |                  |
|----------------------------|---|------------------|
| WACHOVIA BANK, NATIONAL    | ) |                  |
| ASSOCIATION, successor by  | ) |                  |
| merger to SouthTrust Bank, | ) |                  |
|                            | ) |                  |
| Plaintiff,                 | ) |                  |
|                            | ) |                  |
| v.                         | ) | CIVIL ACTION NO. |
|                            | ) | 3:07cv993-MHT    |
|                            | ) | (WO)             |
| CABANA WEST, L.P., et al., | ) |                  |
|                            | ) |                  |
| Defendants.                | ) |                  |

JUDGMENT

Pursuant to the joint stipulation of dismissal (Doc. No. 38), it is the ORDER, JUDGMENT, and DECREE of the court that this cause is dismissed in its entirety with prejudice, with the parties to bear their own costs.

The clerk of the court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

DONE, this the 2nd day of December, 2008.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE